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President Dallin H. Oaks
The Church of Jesus Christ of Latter-day Saints
50 East North Temple Street
Salt Lake City, UT 84150

RE: *Marsh v. The State of Utah et. al, Judicial Entanglement, and the Constitutional Risk to the Church*

Dear President Oaks,

I write to you with reverence for your judicial and ecclesiastical standing, and with a deep sense of urgency regarding a matter that now bears national constitutional consequence. You are a judge in Israel and a sacred sentinel, charged not only with interpreting law but guarding the boundary between holy stewardship and civil authority.

You are uniquely positioned to recognize what others may not yet fully grasp: *Marsh v. Utah,* an federal appeal filed in October 2024, anticipated a structural Establishment Clause argument that would later be echoed by Judge Patrick Bumatay in his January 2025 concurrence in *Huntsman v. Corporation of the President*. It's dismissal now threatens the religious freedoms upon which we exercise the freedom to worship how, where, or what we may.

Where Judge Bumatay warned against the judiciary entering ecclesiastical domains, *Marsh v. Utah* exposes the inverse: a civil judiciary subordinating itself to ecclesiastical authority—specifically, the influence of Bishop W. Christopher Waddell, who testified in a relative's divorce proceeding and continues to assert influence in Church-adjacent litigation. The spiritual authority he invoked—on repentance, fatherhood, worthiness, and doctrinal loyalty—was accepted into evidence as a moral standard upon which judicial rulings were later based. The result was a civil judgment that deviated from state statute, created federal criminal exposure, and stripped a father of rights under the moral framing of Church doctrine.

There was no public correction. No internal disavowal.

Your legacy as a constitutional jurist and defender of religious liberty is well known. You have long taught that religious institutions must not be coerced by the state. But the

structural corollary is this: neither may they coerce the state—even by reverent accident. Where I now stand as witness, to the documentation given before Huntsman was decided, is to a courtroom deference to priesthood authority so profound that state judges ruled not in accordance with law, but in alignment with a General Authority's moral conclusions. This is not hypothetical. It is documented. It is filed in federal court. And its argument is now supported—point by point—by Bumatay's reasoning, though he came to it from the opposite direction.

If this contradiction is not remedied internally, the consequence will be external correction. If the Church does not clarify its boundaries, the courts will. And if this matter proceeds to the Supreme Court, it may be the Church's name that is permanently affixed to the Establishment Clause precedent that draws the line.

President Oaks, I do not write to attack. I write to warn. I am with you in loyalty. I stand as witness to institutional reverence and personal sacrifice. But when spiritual authority becomes a lever in civil judgment, even the faithful are compelled to speak. Not to destroy. But to repair.

Respectfully,

Candice Kulbeth